

**BEFORE THE  
STRUCTURAL PEST CONTROL BOARD  
DEPARTMENT OF PESTICIDE REGULATION  
STATE OF CALIFORNIA**

In the Matter of the Application of:

**Joseph Eugene Essert**

For an Applicator License

**STIPULATION FOR A  
PROBATIONARY LICENSE**

Joseph Eugene Essert, applicant for a structural pest control applicator license (hereinafter Applicant or Respondent), and William H. Douglas, Interim Executive Officer, Structural Pest Control Board (Board), hereby stipulate as follows:

1. This Applicant is not presently licensed as a structural pest control applicator, field representative or an operator with the Board in the State of California.
2. On April 13, 2011, the Applicant successfully passed the applicator license examination. Question number 11 on the application asked: *"Have you ever been convicted of a felony or of a misdemeanor other than minor traffic infractions?"* The Applicant checked the box marked "yes" next to question number 11 and attached a separate written statement admitting to a misdemeanor DUI in 2000, felony drug sales in 2005, and felony drug sales in 2008. He explained that he went to Teen Challenge and graduated with success from a two-year program. The Applicant signed the application, attesting that he had read and understood the complete application and declared that all of the information contained in his application was true and accurate.
3. The Applicant was convicted October 27, 1997 – Bakersfield, California, of the following misdemeanor: 12025(A) PC – Carry concealed weapon in vehicle. Defendant was sentenced to 36 months probation, 3 days in jail and a fine (imposition of sentence suspended).
4. The Applicant was convicted March 23, 1998 – Bakersfield, California, of the following misdemeanors: 148.9(A) PC – False ID to specific peace officers; 25662(A) BP – Minor possess alcohol; and 25661 BP – False evidence of age. Defendant was sentenced to suspended sentence of 36 months probation and 45 days in jail.
5. The Applicant was convicted October 17, 2000 – San Luis Obispo, California, of the following misdemeanor: 647(F) PC – Disorderly conduct: Intoxicated drug/alcohol. Defendant was sentenced to 3 days in jail and a fine.

6. The Applicant was convicted January 23, 2001 – Bakersfield, California, of the following misdemeanor: 20002 VC – Hit and run; 14601.1(A) VC – Drive while license suspended. Defendant was sentenced to 36 months probation and 30 days in jail.
7. The Applicant was convicted July 25, 2006 – Bakersfield, California, of the following felony: 11351 HS – Possess/purchase for sale narcotic/controlled substance. Defendant was sentenced to 2 years prison.
8. The Applicant was convicted April 2, 2009 – Bakersfield, California, of the following felony: 11351 HS – Possess/purchase for sale narcotic/controlled substance. Defendant was sentenced to 5 years probation and a fine.

### **ORDER**

Applicant, Joseph Eugene Essert is hereby granted a probationary applicator's license. The license is placed on three years probation on the following terms and conditions:

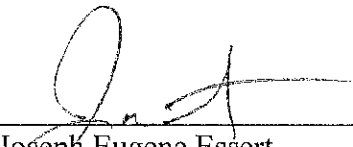
1. Compliance with all provisions of the Business and Professions Code, Division 3, Chapter 14, Structural Pest Control Operators, and California Code of Regulations, Title 16, Professional and Vocational Regulations, Division 19. Applicant shall obey all laws and rules relating to the practice of structural pest control.
2. Obey all Local, State and Federal laws.
3. Quarterly Reports. Applicant shall file quarterly reports with the Board during the period of probation.
4. Tolling of Probation. Should applicant leave California to reside outside this state, Applicant must notify the Board in writing of the dates of departure and return. Periods of residency or practice outside the state shall not apply to reduction of the probationary period.
5. Notice to Employers. Applicant shall notify all present and prospective employers of the terms, conditions and restrictions imposed on Applicant by said Order. Within 30 days of the effective date of this Order, and within 15 days of Applicant undertaking new employment, Applicant shall cause his employer to report to the Board in writing acknowledging the employer has read the Order in this matter.
6. Completion of Probation. Upon successful completion of probation, Applicant's applicator license will become fully effective.
7. Violation of Probation. Should Applicant violate probation in any respect, the Board, after giving Applicant notice and an opportunity to be heard, may revoke the probationary license through an administrative hearing process.

8. Field Representative's License. Should Applicant apply for a field representative license and pass the examination, the Board shall issue a field representative license, which shall be immediately placed on probation for the same duration and under the same terms and conditions as set forth in this Order.

ACCEPTANCE

I have carefully read the Order. I understand the Order and the effect it will have on my applicator license. I enter into this Order voluntarily, knowingly, and intelligently, and agree to be bound by the Order of the Board.

DATED 5-20-11

 (Joseph Essert)  
Joseph Eugene Essert  
Applicant

This Stipulation for a Probationary License shall become effective

on June 9, 2011

  
FOR THE STRUCTURAL PEST CONTROL BOARD  
DEPARTMENT OF PESTICIDE REGULATION